App. F. IX-4

Previous References

1939.
(Legis)

File No. 72-39
Serial Nos. 1

Later References.

PRESERVED

(11)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for October 1939

SUBJECT.

Amendment to Press & Registration of Books Act.

WD 0573—GPB—22,500—12-9-39

15/11/39

Press & Registration of Books (amend) Act

GEN. & REV. SECRETARIAT. 8 SEP. 1939 BRANCH.

General and Revenue Secretariat | File No. | of 193 | App. F. III–2

Serial No.

Please put up draft ordinance amending The Press & Registration of Books Act incorporating The amendments made in the British Indian Act

(Pr. Br.) C.P. 7/9/39

A draft of an Emergency Act incorporating all the amendments made in the British India Act is put up. ~~as~~ as directed under section 8 (the new section 11A) of the amending Act a notification will have to issue appointing the time and place to which two copies of each issue of every newspaper has to be delivered free of expense.

8.9.39

The Press & Registration of Books Act (XXV of 1867) of British India has been amended from time to time. This Act of 1867 was applied to Burma in 1867. Only amendments upto 1934 have been incorporated & not the subsequent amendments.

The principal amendments made in the British Indian Act are —

1) The Editor's name shall be printed on each copy of the newspaper

2) A person shall not be permitted to make a declaration as printer or edit

NOTE—Contn. Sheet.

1668/P

File No. of 193 General and Revenue Secretariat.

Serial No.

OFFICE OF THE
FIRST MEMBER OF COUNCIL
SEP 11 1939
No 2892

PRINTING OFFICE
2083

3) Two copies of every newspaper shall be delivered free of expense to such officer as may be directed by Govt.

The other changes are consequential & there are also some Verbal changes.

Provision 3 above has importance now in view of Printing & newspapers & Censorship. Therefore Govt will have to purchase copies

If approved this will be moved as an ordinance & a bill placed before R. A & L.C in due course.

Dewan) 11/9/39

3 11/9/

Law Secy
To speak
DW
12/9/39

If approved by the Dewan, this question may be discussed at the Council meeting tomorrow

DW 14/9/39

Dewan)

MK 13/9

13-9-39 MK 14/9

2nd member)

P.C. 4-9

C. 109 1-39-40

Extract from the Proceedings of the 979th *Meeting of the Council of His Highness the Maharaja, held at Bangalore on the* 14th September 1939. *19*

9. **Subject.**

The Press and Registration of Books (Amendment) (Emergency) Ordinance, 1939.

OPINION OF THE COUNCIL.

The Emergency Ordinance (Amendment) may be approved.

(Signed) MIRZA M. ISMAIL,

Dewan of Mysore.

Law Secretary
with compliments.

15.9.39

15/9/39

"EXTRACT"

Chief Secretary to Government

WD 1471—GPB—2,000—1-8-21

Amendment to Press Registration of Books Act

General and Revenue Secretariat. File No. of 19 [App. F. III-2

Serial No.	
	The amendment to the Press & Registration of Books Act has been incorporated in Act XXV of 1939 as ordered by the Law Secretary Emy

NOTE- Contn. Sheet

THE PRESS AND REGISTRATION OF BOOKS (AMENDMENT) (EMERGENCY) ACT, 1939.

(Received the assent of His Highness the Maharaja on the day of September 1939.)

WHERAS an emergency has arisen which makes it necessary to amend the Press and Registration of Books Act, 1867, as applied to Mysore (Act No.XXV of 1867)

NOW therefore, in exercise of the powers conferred by section 12 of the Mysore Legislative Council Act, 1923; It is hereby enacted as follows:-

1(1). This Act may be called the Press and Registration of Books (amendment) (Emergency) Act. 1939.

(2) It shall come into force at once.

2. The Act for the regulation of Printing Presses and Newspapers, for the preservation of copies of books printed in the ℞ Territories of Mysore, and for the registration of such books (Act No. XXV of 1867 as applied to Mysore) may, without prejudice to any other mode of citation, be cited for all purposes by the short title, "The Press and Registration of Books Act, 1867".

3. In section 1 of the Press and Registration of Books Act, 1867 (hereinafter referred to as the said Act), after the definition of "book", the following definition, namely:-

" 'editor' means the person who controls the selection of the matter that is published in a newspaper;"

and after the definition of "Magistrate" the following definition, namely:-

" 'newspaper' means any printed periodical work

containing public news or comments on public news:"

shall be inserted.

4. In section 5 of the said Act,

(a) For the words "printed periodical work containing news or comments on public news" the word "newspaper" shall be substituted;

(b) after the words "hereinafter laid down" the following clause shall be inserted, namely:-

"(1) every copy of every such newspaper shall contain the name of the person who is the editor thereof printed clearly on such copy as the name of the editor of that newspaper:"

(c) clauses (1),(2) and (3) shall be renumbered (2),(3) and (4) respectively;

(d) in clause (2) as renumbered, for the words, "before the Magistrate within whose local jurisdiction such work shall be published" the words "in person or by agent authorised in this behalf in accordance with rules made under section 20, before a District or Sub Divisional Magistrate within whose local jurisdiction such newspaper shall be printed or published, or such printer or publisher resides" shall be substituted and for the words "periodical work" the word "newspaper" shall be substituted:

(e) after clause (4) as renumbered, the following proviso shall be inserted, namely:-

"Provided that no person who has not attained majority in accordance with the provisions of the law to which he is subject in respect of the attainment of majority, shall be permitted to make the declaration prescribed by this section, nor shall any such person edit a newspaper."

5. In section 7- of the said Act -

(a) after the words "the custody of such declarations" the words "or, in the case of the editor, a copy of the newspaper containing his name printed on it as that of the editor";

(b) after the words "to such declaration" the words " or printed on such newspaper, as the case may be"; and

(c) after the words "in the declaration" the words "or the editor of every portion of that issue of the newspaper of which a copy is produced"; shall be inserted.

6. In sections 7,8 and 9 of the said Act, for the words,"periodical work" wherever they occur, the word "newspaper" shall be substituted.

7. After section 8, of the said Act the following section shall be inserted, namely:-

"8A. If any person, whose name has appeared as editor on a copy of a newspaper, claims that he was not the editor of the issue on which his name has so appeared, he may, within two weeks of his becoming aware that his name has been so published, appear before a District or Sub-divisional Magistrate and make a declaration that his name was incorrectly published in that issue as that of the editor thereof, and if the Magistrate after making such inquiry or causing such inquiry to be made as he may consider necessary is satisfied that such declaration is true, he shall certify accordingly, and othat certificate being given the provisions of section 7 shall not apply to that person in respect of that issue of the newspaper.

The Magistrate may extend the period allowed

by this section in any case where he is satisfied that such person was prevented by sufficient cause from appearing and making the declaration within that period."

8. After Section 11 of the said Act, the following section shall be inserted, namely:-

" 11A. The printer of every newspaper in Mysore shall deliver at such place and to such officer as the Government may, by notification in the official Gazette, direct, and free of expense to the Government two copies of each issue of such newspaper as soon as it is published."

9. In sections 12,13,14 and 15 of the said Act, for the words "two years" wherever they occur, the words " six months" and for the words "five thousand" wherever they occur, the words "two thousand" shall be substituted.

10. In section 15 of the said Act, -

(a) after the words "Whovever shall" in the two places where they occur, the word "edit" shall be inserted:

(b) for the words "such periodical work as is hereinbefore described," the word "newspaper" shall be substituted;

(c) after the words "shall cause to be" the word "edited" shall be inserted;

(d) for the words "such periodical work," where they occur for the second time the word "newspaper" shall be substituted; and

(e) for the words "that work" the words "that newspaper" shall be substituted.

11. After section 16 of the said Act, the following sections shall be inserted, namely:-

2nd copy

THE PRESS AND REGISTRATION OF BOOKS (AMENDMENT) (EMERGENCY) ACT,1939.

WHEREAS an emergency has arisen which makes it necessary to amend the Press and Registration of Books Act,1867, as applied to Mysore (Act No.XXV of 1867):

NOW therefore, in exercise of the powers conferred by section 12 of the Mysore Legislative Council Act,192[illegible] It is hereby enacted as follows:-

1 (1) This Act may be called the Press and Registration of Books (amendment) (Emergency) Act,1939.

(2) It shall come into force at once.

2. In section 1 of the Press and Registration of Books Act,1867, as applied to Mysore (hereinafter refer to as the said Act), the following definitions shall be inserted, namely;-

"'editor' means the person who controls the selection of the matter that is published in a newspaper" and

"'newspaper' means any printed periodical work containing public news or comments on public news;

3. In section 5 of the said Act the following clause shall be inserted after clause (1) thereof, namely:-

"(1a) every copy of every such newspaper shall contain the name of the person who is the editor thereof printed clearly on such copy as the name of the editor of that newspaper:"

4. In section 15 of the said Act,-

(a) after the words,"whoever shall" in the two places where they occur, the word "edit" shall be inserted; and

(b) after the word "shall cause to be" the word "edited" shall be inserted.

5. After section 11 of the said Act, the following sections shall be inserted, namely:-

"11A. The printer of every newspaper in Mysore shall deliver at such place and to such office as the Government may, by notification in the official Gazette, direct, and free of expense to the Government two copies of each issue of such newspaper as soon as it is published.

11B. If any printer of any newspaper published in Mysore neglects to deliver copies of the same in compliance with section 11A, he shall, on the complaint of the officer to whom copies should have been delivered or of any person authorised by that officer in this behalf, be punishable, on conviction by a Magistrate having jurisdiction in the place where the newspaper was printed, with fine which may extend to fifty rupees for every default".

14/9 14/9 39